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DAILY ARIZONA MINER.

VOL. 2. PRESCOTT, SATURDAY, SEPTEMBER 7, 1867. NO. 1.

DAILY ARIZONA MINER.

Published Every Morning during the Session of the Legislature of Arizona for 1867.

SUBSCRIPTION PRICE

the Session, $200 Single Copy, 10 cents

The Fourth Legislature of the Territory of Arizona.

NAMES OF THE MEMBERS.

COUNCIL

Pima County—Mortimer R Platt, Henry Jenkins, Daniel H Stickney

Yuma County—Alexander McKey, W K Herreiger, Peter Doll

Mohave County—William H Hardy

Pah Ute County—Octavius D Gass

Yavapai County—John W Simmons, Lewis Stevens, Daniel S Lount

HOUSE OF REPRESENTATIVES

Pima County—Charles W Lew, John B Allen, Underwood C Bates, Mathews M Richardson, Edmon W Chambers, Francis Hodges, Philip Drachman

Yuma County—Oliver Lindsey, John Benton, W Hanford

Mohave County—Nathaniel S Lewis

Pah Ute County—Royal J Cutler

Yavapai County—John A Rush, Edward J Cook, James S Giles, Allen Cullumber, John H Mathews, John T Dare

OUR LEGISLATURES

The First Legislature of Arizona convened at Prescott, Sept 26, 1864. Capt Walker's full list of the members was: First District (now Pima county)—Coles Bashford, Francis S Dorn, Mat's Alexander and Patrick H Dunne. *House*—W Claude Jones, Wm G Capron, Dan'l H Stanton, Gregory Herlo, Robt D Jones, Joel M Ellis, Nathan B Appel, Nemecio Higuera, Gilbert W Hopkins. Second District (now Yuma, Mohave and Pah Ute)—*Council*, George W Leihy, Jose M Redondo. *House*, Louis C Bouchet, Geo M Holladay, Thomas J Bidwell, Edward D Tuttle, William Walter. Third District (now Yavapai county)—*Council*, King S Woolsey, Robert W Groom, Henry A Bigelow. *House*—John M Boggs, Jackson McCracken, James Grevan, James S Giles. The Council was organized Sept 29 by the choice of Coles Bashford as President and Almon Gage as Secretary. The House was organized on the same day by the choice of W Claude Jones as Speaker, and James Anderson as Chief Clerk. The session continued until the 10th day of November.

The Second Legislature met at Prescott December 6th, 1865, and consisted of the following members, viz: Pima county—*Council*, Coles Bashford. *House*, D H Stickney. Yuma county—*Council*, Manuel Ravena. *House*, Alexander McKey, W K Herreiger, Peter Doll. Mohave county—*Council*, Wm H Hardy. *House*, C W C Rowell, O D Gass. Yavapai county—*Council*, King S Woolsey, Robert W Groom, Henry A Bigelow. *House*, James S Giles, Jackson McCracken, Daniel Ellis, James O Robertson. The Council was organized December 6th by the choice of Henry A Bigelow as President and Jame Anderson as Secretary. The House was organized on the 9th by the election of James S Giles as Speaker and James L McCathy as Clerk. The session continued until December 20.

The Third Legislature met at Prescott October 31 1866 and was composed as follows: Pima county—*Council* Mark Aldrich, Mortimer R Platt, Henry Jenkins. *House*—Granville H Oury, Henry M C Ward, William Hand, Josiah Dent, James Douglass, Oscar Buck, Jesse Solomon, W Claiborne, Michael McKenna, Thomas D Heaton. Yuma county—*Council*, Alexander McKey. *House*, Marcus D Dobbins, Robert F Pratt, William H Harris. Mohave county—*Council*, William H Hardy. *House*, Manuel Davis. Pah Ute county—*Council*, Octavius D Gass. *House*, Ralph Cutler. Yavapai county—*Council*, John W Simmons, Daniel S Lount, Louis A Stevens. *House*, William Hyde, Ephraim H Barnett, Harold Sypert, John B Stack, Daniel Ellis. The House was organized on the 4th by the election of Granville H Oury Speaker, and James S Giles Chief Clerk, and the Council organized on the 5th by the election of Mark Aldrich as President and John M Redondo as Secretary. The session was held at the City of Navarro.

The Fourth Legislature met at Prescott September 4th 1867, and consists of the following members: Pima county—*Council*, Mortimer R Platt, Henry Jenkins, Daniel H Stickney. *House*—Charles W Lew, John B Allen, Frederick C Barnett, Marcus M Richardson, Solomon W Chambers, Francis M Hodges, Philip Drachman. Yuma county—*Council*, Alexander McKey. *House*, Oliver Lindsey, John Benton, B——W Hanford. Mohave county—*Council*, William H Hardy. *House*, Nathaniel S Lewis. Pah Ute county—*Council*, Octavius D Gass. *House*, Royal J. Cutler. Yavapai county—*Council*, John W. Simmons, Lewis A. Stevens, Daniel S Lount. *House*, John A Rush, Edward J. Cook, James S Giles, Allen Cullumber, John H Mathews, John T Dare. The Council organized on the 4th by the choice of Octavius D Gass as President, and on the 5th Almon Gage was elected Secretary. The House organized on the 5th by making Oliver Lindsey, Speaker, and Fo'lett G. Christie, Chief Clerk.

The members seem anxious to work for the best interests of the people, and it is generally expected that their session will be highly advantageous to the Territory. We are glad that all the counties are represented, and that the session is begun under such promising circumstances. The MINER will faithfully chronicle the doings of the honorable members, and so enable their constituents to know just what they are about and to affix praise or censure as it may be deserved.

THE GOVERNOR is to deliver his Message to the Legislature on Monday next, at 11 o'clock, A. M. in the hall of the House of Representatives.

A COTILLION PARTY will come off at the Montezuma on Tuesday Evening next. Tickets $5 including refreshments to be had at Cooley's Gem Saloon.

COL CARTER, Col Bigelow, Hon J B Allen and Lieut Tolfree, arrived from the lower country last evening. Lieut T brought the military prisoners from Camp McPherson, the escort that left here with Paymaster Dana and was put under arrest at that place.

THE LEGISLATORS seem well pleased with the lodgings provided for them in the South building.

ABOUT 50 CAVALRY RECRUITS arrived here a few days since for the companies at Whipple Capt Wilson and Lieut McDonald are the officers in charge.

PARTIES just from the Walnut Mill speak of a yield of 60 lbs to the bushel, weighing over fourteen pounds.

THE APACHES MEANT tribe of Indians have come to Camp Grant on San Pedro. It numbers about 500 souls, who wish to make peace.

BROWN'S CAFE is surprising to see the number of new faces living about town since the organization of the Legislature—"The best laid schemes o' mice and men," &c.

CAMPBELL has moved in his new Store, and a fine one it is.

DAILY ARIZONA MINER.

PRESCOTT, SATURDAY, SEPTEMBER 7, 1867

THE DAILY MINER.

Following the custom begun at the session of the Third Legislature of the Territory, (1866,) we propose to publish a daily paper during the session of the present Legislature Besides giving the official proceedings of both houses, we shall refer to the bills introduced, to the votes of the members, and to all incidents of interest in connection with the movements of our Legislators The DAILY MINER will also give the local and general news of the day, and will be alive to all the interests of the Territory It will be furnished to the public at $2 for the session, or 10 cents per copy, in currency, and delivered, each morning, by or before 10 o'clock To those who favor us with advertising patronage to the extent of $10 or upwards, it will be sent free of charge The terms for advertising will be liberal and may be learned on application at our office

W H FORD,
Publisher

JOURNALS

— OF THE —

FOURTH LEGISLATIVE ASSEMBLY,

TERRITORY OF ARIZONA

COUNCIL.

COUNCIL CHAMBER,
PRESCOTT, Wednesday, Sept 4, 1867

The Council was called to order at 12 o'clock m., by John M Rountree, Secretary of the Third Legislative Assembly, who called the roll, and the following named members were found to be present viz

From Pima County—Matthew R Platt, and Daniel H. Stickney

From Yuma County—Alexander McKey

From Mohave County—William H Hardy

From Pah-Ute County—Octavius D Gass

From Yavapai County—Lewis A Stevens and John W Simmons.

Daniel S Lount, from Yavapai county being absent.

The Council then proceeded to a temporary organization, by electing William H Hardy President, and John M Rountree Secretary.

The President was then informed that there was two members present who had not taken the oath of office

Mr Mckey was appointed a committee of one, to wait upon one of the Judges of the U S. District Court, who in due time returned, accompanied by Hon Chief Justice William F Turner, who proceeded to administer the oath of office prescribed by law

The President then informed the Council that the next business in order was to proceed to a permanent organization by electing a President.

Mr Platt put Octavius D Gass in nomination

There being no further nominations, the roll was called with the following result.

For Mr Gass Messrs Hardy, Jenkins, McKey, Platt, Simmons, Stevens and Stickney – 7

Mr Gass voting for Mr Stickney

Whereupon Mr Gass was declared duly elected and requested to take the chair

On motion of Mr Hardy, Council adjourned until 2 o'clock p m

AFTERNOON SESSION

2 o'clock P M

Council met pursuant to adjournment

Roll called

Present Messrs Hardy, Stevens, Simmons, Platt, Jenkins, McKey, and Mr President

On motion of Mr Hardy, Council adjourned till to morrow at 10 o'clock a m

HOUSE.

REPRESENTATIVE HALL,
PRESCOTT, September 4 1867

The House of Representatives of the Fourth Legislative Assembly of the Territory of Arizona was called to order by William H Ford, Assistant clerk of the House of Representatives of the Third Legislative Assembly [illegible] named gentlemen presented themselves viz

[illegible] Edward J Cook

[illegible] James S Giles John T Dare John H Mathews and John A Rush

[illegible] Oliver Hardy

[illegible] Nathaniel S Lewis

[illegible] Royal J Cutler

[illegible] Beverwood C Barnett Seneca W Chambers James M Hodges, Charles W Lewis, Marvin M Jack and Philip Drachman

The roll was made, composed of the names of the gentlemen above named

On motion of Mr Giles Mr Cook was appointed temporal Speaker of the House

On motion of Mr Lewis of Pima a committee of two was appointed by the speaker to wait upon the Governor and to request him to administer the oath of office to the members

Messrs Lewis of Pima and Richardson were appointed such committee and returned in a few moments, with the Governor who duly administered the oath to the members present

On motion of Mr Richardson, William H Ford was appointed temporary clerk

Mr Giles moved that the House proceed to a permanent organization Motion lost

On motion, the House adjourned until 2 o'clock p m

AFTERNOON SESSION

2 o'clock, P M

Roll called

Quorum present

On motion, the House proceeded to a permanent organization by the election of officers

Messrs Lindsey and Barnett were nominated for the Speakership

The following was the result of the first ballot

Messrs Cook, Culumber, Dare, Giles, Mathews and Rush voted for Mr Barnett—6

Messrs. Cutler, Chambers, Drachman, Hodges, Lewis, of Mohave, Lewis, of Pima, and Richardson, voted for Mr Lindsey—7

Mr Lindsey voted for Mr Cutler, and Mr Barnett for Mr Giles

No choice

On motion, the House adjourned until 10 o'clock, a m, to morrow

COUNCIL.

COUNCIL CHAMBER
PRESCOTT, Thursday Sept 5, 1867.

Council met pursuant to adjournment

Roll called

Present Messrs Hardy, Jenkins, McKey, Platt Simmons, Stevens, Stickney and Mr. President

The Council then proceeded to the election of officers

Messrs Almon Gage and J Tyson were put in nomination for Secretary of the Council and voted for with the following result

For Mr Gage Messrs Hardy, Jenkins, McKey Platt, Stickney and Mr President –6.

For Mr Tyson Messrs Simmons and Stevens 2

Mr Gage was declared duly elected Secretary of the Council

Mr Jenkins offered the following resolution which was unanimously adopted

Resolved, That the thanks of the Council be presented to John M Rountree for the faithful manner in which he has discharged the duties of Secretary *pro tem*, and that he be entitled to the usual pay and allowance for his services as temporary Secretary.

On motion, Mr Hardy was appointed a committee of one to wait upon one of the U S Judges, to administer the oath of office

Hon Chief Justice Wm F Turner appeared and administered the oath of office to the President and Secretary of the Council

Wm H Ford was put in nomination for Assistant Secretary and was unanimously elected as Assistant Secretary of the Council

Messrs George Lount and A J Moore were put in nomination for Sergeant at Arms

Mr Lount was declared duly elected as Sergeant at Arms of the Council

Julius Saunders was nominated and elected door keeper of the Council

J B McKinney was nominated and elected Watchman of the Council

Masters Giles Bashford and Henry Wonderlich were put in nomination for Page.

Master C Bashford was declared duly elected Page of the Council

G W Barnard was nominated and elected Engrossing Clerk of the Council

J C Lemmon was nominated and elected Enrolling Clerk of the Council

On motion, Council adjourned till 2 o'clock p m

AFTERNOON SESSION

2 o'clock P M

Council met pursuant to adjournment

Roll called

Present Messrs Hardy, Jenkins Platt, Simmons Stevens, Stickney and Mr President

The President then administered the oath of office to the following persons, officers elect of the Council

To George Lount, Sergeant at Arms, G W Barnard, Engrossing Clerk, J B McKinney, Watchman, W H Ford, Assistant Secretary, Julius Saunders, Door Keeper;

Coles Bashford, Page, and J C. Lennon, Enrolling Clerk

On motion of Mr Stevens, the Secretary was instructed to notify the House that the Council is fully organized and ready to receive any communication from the House, and to proceed to business

On motion, the Council adjourned till to morrow at 10 o'clock a m

HOUSE.

REPRESENTATIVE HALL,
PRESCOTT, Thursday Sept 5, 1867

House met pursuant to adjournment

Roll called.

Present Messrs. Barnett Cutler Chambers, Cook, Cullumber, Drachman, Dare Giles, Hodges, Lindsey Lewis, of Mohave, Lewis, of Pima, Mathews, Rush and Richardson

Quorum present

Minutes of yesterday read, corrected and approved

On motion of Mr Giles, a second ballot was taken for speaker, with the following result

Messrs Cook, Cullumber, Dare, Giles, Lindsey Mathews and Rush voted for Mr Barnett 7

Messrs Cutler, Chambers, Drachman Hodges, Lewis, of Mohave, Lewis, of Pima, and Richardson, voted for Mr Lindsey 7

Mr Lindsey voted for Mr Barnett and Mr Barnett voted for Mr Giles

Mr Barnett, upon demand of Mr Giles, who had seconded his nomination changed his vote for Mr Barnett, and Mr Lindsey changed his vote for Oliver Lindsey

So Mr Lindsey was duly elected speaker of the House

On motion, the speaker *pro tem* appointed a committee of two, consisting of Messrs Rush and Giles to conduct the speaker to the chair

Mr Lewis, of Pima, offered the following resolution, which was adopted

Resolved That the House invite Judge Backus to administer the oath of office to Mr Lindsey, the speaker elect

The speaker named Messrs Lewis of Mohave and Rush such committee, to wait on Judge Backus The committe returned and reported that they were unable to find Judge Backus

On motion, the report was received and the committee discharged

On motion of Mr Mathews a committee of two, consisting of Messrs Mathews and Richardson were appointed by the speaker to wait on the Governor and request him to administer the oath of office to the speaker elect, who returned in a few moments with the Governor, who duly administered the oath

Nominations for chief clerk being now in order, Mr I G Christie was nominated by Mr Dare and Mr J W Wells Jr, by Mr Lewis, of Pima

On motion of Mr Mathews nominations closed

On the first ballot for clerk, Mr Christie was elected

On motion of Mr Rush, the chief clerk was authorized to choose an assistant

On motion of Mr Rush, the rules were suspended, the election of the enrolling and engrossing clerks postponed, and the House proceeded to the election of a Sergeant-at-Arms.

Nominations being in order, Mr Dare nominated Joseph Todd.

Mr Drachman nominated H. E Lindsey.

On motion of Mr Lindsey, nominations closed

On the first ballot, Mr Lindsey was elected Sergeant at Arms

On motion, the House adjourned until 2 o'clock p m

AFTERNOON SESSION

2 o'clock P M

House met pursuant to adjournment

Roll called Quorum present

On motion, the House proceeded to the further election of officers

Mr Rush nominated J Tyson for enrolling clerk.

On motion of Mr Giles, Mr Tyson was declared elected by acclamation

Mr Rush nominated John P Bourke for engrossing clerk

On motion of Mr Giles, Mr Bourke was declared elected by acclamation.

Mr Dare nominated W J Cummins for door keeper, and Mr Lewis of Mohave, nominated George W Hull

Those who voted for Mr Cummins were, Messrs Barnett, Cook Cullumber, Dare, Giles Mathews and Rush- 7

Those who voted for Mr Hull were, Messrs Cutler, Chambers, Drachman, Hodges, Lewis, of Mohave, Lewis, of Pima, Richardson and Mr Speaker 8

So Mr Hull was declared elected

Mr Giles nominated Thomas McWilliams for watchman, and Mr Hodges nominated Thomas Vondiy

On the first ballot Mr Vondiy received 8 votes, and Mr McWilliams received 7 So Mr Vonday was declared elected

Mr Dare nominated Master John Osborn for page, and Mr Drachman nominated Master Henry Wunderlich

On the first ballot Master Wunderlich was declared elected

Mr Dare was excused from voting

Mr Mathews nominated Thomas H Head for chaplain

On motion, he was declared elected by acclamation

On motion of Mr Lewis, the speaker of the House administered the oath of office to the officers of the House elected, the chaplain excepted

The following communication was received from the chief clerk

PRESCOTT Sept 5, 1867

To the Hon Oliver Lindsey, speker of the House of Representatives

Agreeably with the resolution passed by the House, I have the honor to announce that I have selected Augustus Brichta as assistant clerk

Very respectfully
I G CHRISTIE chief clerk

The assistant clerk, Augustus Brichta, appeared and was sworn in by the speaker

Mr Giles moved that a committee of three be appointed by the chair to report rules for the government of the House

The motion was carried and the chair appointed Messrs Giles, Lewis, of Pima and Cutler

Mr. Rush offered the following resolution, which was adopted

Resolved, That the clerk be instructed to inform the Council that the House has duly organized, by the election of Oliver Lindsey speaker, and F. G. Christie, clerk, and are now ready to proceed to business.

The following message was received from the Council:

Resolved, That the secretary inform the House that a permanent organization has been effected in the Council, and that it is ready to receive any communication from the House, and to proceed to business.

Mr Giles offered the following H. C. R. No 1, which was adopted:

Resolved, by the House, the Council concurring, that a joint committee of two on the part of the House, and one on the part of the Council be appointed to draft joint rules and orders for the government of the two Houses during the present session.

The chair appointed, on the part of the House, Messrs Mathews and Chambers.

On motion, the House adjourned until 10 a m, to morrow.

COUNCIL.

COUNCIL CHAMBER,
PRESCOTT, Friday, Sept 6, 1867.

Council met pursuant to adjournment.

Roll called

Present—Messrs Hardy, Jenkins, McKey, Platt, Simmons, Stevens and Mr. President.

Minutes read, corrected and approved.

The President announced the appointment of the following Standing Committees of the Council

Military and Indian Affairs—Messrs. Stickney, Hardy and McKey

Mines and Mining—Messrs. Hardy, Lount and Stickney

Corporations—Messrs. Stevens Jenkins and Hardy

Finance—Messrs Hardy, McKey and Jenkins

Agriculture—Messrs Simmons, Stevens and Stickney

Territorial Affairs—Messrs. Jenkins, Hardy and McKey,

Judiciary—Messrs Platt, Jenkins and McKey

Education—Messrs Jenkins, Stevens and Simmons

Land Claims—Messrs Simmons, Lount and Stickney

Enrolled and Engrossed Bills—Messrs. McKey, Platt and Jenkins

Printing—Messrs Stevens, Hardy and Platt

Claims—Messrs Platt, Stevens and Lount.

Counties and County Boundaries—Messrs. Stickney, McKey and Simmons.

On motion of Mr Hardy, fifty copies of the list of committees appointed by the President were ordered printed for the use of the Council

Communication from the House announcing the organization of that body was received

The following H C R, No 1, was received and adopted

Resolved By the House, the Council concurring, that a joint committee of two on the part of the House, and one on the part of the Council, be appointed to draft joint rules and orders for the government of the two Houses during the present session.

Mr Jenkins was appointed by the Presi-

dent, a committee on the part of the Council.

Mr. Stickney in the chair.

Mr. Hardy offered the following C C R, No. 1, which was adopted

Resolved, By the Council, the House concurring, that a joint committe of two from the Council and three from the House, be appointed to wait upon the Governor, and inform him that both Houses are now organized and prepared to receive any communication he may be pleased to make.

The President appointed Messrs. Hardy and Platt, a committee to wait upon the Governor.

On motion Council adjourned till 3 o'clock p. m.

AFTERNOON SESSION

3 o'clock P. M.

Council met pursuant to adjournment

Roll called.

Present—Messrs. Hardy, Jenkins, Platt, Simmons, Stevens, Stickney and Mr. President.

Mr. Stickney offered the following resolution, which was adopted:

Resolved, By the Council, the House concurring, that the standing committees of the two Houses act jointly in order to facilitate business.

On motion of Mr. Hardy the House proceeded to the election of Chaplain, for the Council during the present session

The Rev. Cha's M Blake was put in nomination, and declared duly elected Chaplain of the Council.

On motion, the secretary was instructed to notify Rev. *Mr.* Blake of his election and of the time of the next meeting of the Council

On motion, Council adjourned till Monday, Sept. 9. at 10 o'clock A. M.

HOUSE.

REPRESENTATIVE HALL,)
PRESCOTT, Friday, Sept. 6, 1867 (

House met pursuant to adjournment.

Roll called Quorum present.

Prayer by the chaplain.

Minutes of yesterday read and approved.

Mr Giles, chairman of special committee on rules and orders, submitted the following majority report

Your committee on rules and orders ask leave to report, with recommendation, that Rule XXXIII of the House of Representatives of the Third Legislative Assembly be amended in the last clause so as to read as follows:

But the yeas and nays shall not be called without the consent of three members, and that said rules, when so amended, be adopted for the government of the House Also, submitted verbal minority report, recommending that Rule XXXII be stricken out, and that Rule XXXIII be amended as recommended in the majority report.

Mr. Rush moved the adoption of the minority report.

Motion lost.

Mr. Lewis, of Pima, moved the adoption of the majority report.

Carried.

On motion of Mr. Lewis, of Pima, the vote by which the majority report was adopted was reconsidered.

The majority report was amended by striking out, in rule XXXII, the word "once," and, in lieu thereof, inserting the word "twice."

The majority report, as amended, was then adopted

Message from the Council.

The Council has passed C. C. R. No. 1, which is as follows:

Resolved, By the Council, the House of Representatives concurring, that a joint committee of two from the Council, and three from the House, be appointed to wait upon the Governor and inform him that the two Houses are now organized and prepared to receive any communication he may be pleased to make, and has appointed Messrs. Hardy and Platt on the part of the Council.

C. C. R No. 1 was taken up and concurred in.

The speaker appointed, on the part of the House, Messrs. Lewis, of Pima, Rush and Lewis, of *Mohave*

Mr Barnett offered the following resolution

Resolved, that fifty copies of the standing rules of the House, be printed for the use of the same.

Rules suspended, and resolution adopted

Mr Dare offered the following resolution:

Resolved, By the House, that the regular hour of meeting, shall be 10 o'clock a m.

Rules suspended, and the resolution adopted

Mr. Lewis, of *Mohave*, offered the following H C. R. No 2

Resolved, By the House of Representatives, the Council concurring, that the Hon. Alexander *McKey*, is hereby appointed translator and interpreter of the Spanish language for the Legislative Assembly for the present term, to date from to-day

Laid over under the rules

The Speaker announced the following standing Committees for the House

Elections —Messrs Dare, Lewis of Mohave, and Richardson

Ways and Means —Cutler, Cook, Hodges, Giles and Lewis, of Mohave

Education — Chambers, Rush and Cutler

Judiciary - Rush, Giles and Richardson

Claims —Cook, Drachman and Cullumber

Military and Indian Affairs.- -Lewis, of Pima, Richardson and Giles

Roads and Ferries —Hodges, Richardson and Dare

Enrolled and Engrossed Bills —Richardson, Chambers and Mathews

Printing —Barnett, Lewis, of Pima, and Lewis, of Mohave

Corporations —Cullumber, Drachman and Cutler.

Memorials and Petitions —Mathews, Chambers and Lewis, of Mohave.

Mines —Lewis, of Mohave, Rush and Mathews

Counties —Barnett, Cutler and Hodges.

Federal Relations.—Richardson, Lewis, of Pima and Cook

Agriculture —Mathews, Cutler and Chambers

Public Buildings, Grounds and Territorial Library.—Cook, Chambers and Lewis, of Mohave

On motion, the House adjourned.

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Court House Building—TUCSON, A. T.

HENRY JENKINS,

Attorney and Counselor at Law,

TUBAC, A. T.

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Third house south of the Plaza,

PRESCOTT, A. T. 7

JNO. HOWARD,

Attorney and Counsellor at Law, Prescott.

DR. F. P. HOWARD,

Physician and Surgeon, Prescott, A. T., and at Fort Whipple Hospital. 7

HENRY W. FLEURY,

NOTARY PUBLIC.

PRESCOTT, ARIZONA TERRITORY

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PRESCOTT, ARIZONA.

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DAILY ARIZONA MINER.

VOL. 2. PRESCOTT, TUESDAY, SEPTEMBER 10, 1867. NO. 2.

DAILY ARIZONA MINER,

Published Every Morning during the Session of the Legislature of Arizona for 1867.

SUBSCRIPTION PRICE:

For the Session, $2 00 Single Copies, 10 cents.

The Fourth Legislature of the Territory of Arizona.

NAMES OF THE MEMBERS.

COUNCIL.

Pima County—MORTIMER R. PLATT, HENRY JENKINS, DANIEL H. STICKNEY.

Yuma County—ALEXANDER McKEY

Mohave County—WILLIAM H HARDY.

Pah-Ute County—OCTAVIUS D GASS

Yavapai County—JOHN W. SIMMONS, LEWIS A SPLAINS, DANIEL S LOUNT.

HOUSE OF REPRESENTATIVES.

Pima County—CHARLES W LEWIS, JOHN B ALLEN, UNDERWOOD C BARNETT, MARVIN M RICHARDSON, SOLOMON W. CHAMBERS, FRANCIS HODGES, PHILIP DRACHMAN.

Yuma County—OLIVER LINDSEY, JOHN HENION, B W HANFORD.

Mohave County—NATHANIEL S. LEWIS.

Pah-Ute County—ROYAL J. CUTLER.

Yavapai County—JOHN A RUSH, EDWARD J. COOK, JAMES S GILES, ALLEN CULLUMBER, JOHN H MATHEWS, JOHN T. DARE.

THE FOURTH LEGISLATURE.

The Fourth Legislature of Arizona is in session It meets at an important time and much is expected of it. The first question for consideration is that of our Indian troubles. These are at the foundation of all the difficulties our pioneers have to contend with. What it is best to do to overcome them is a matter for the cautious and earnest examination of every member. To live longer as we have been living in Arizona since it came under the American flag, with our lives in constant jeopardy, our property unsafe, and our business enterprises subjected to the most annoying interruptions, is more than we should be expected to do.

The Legislature should come to an understanding as to the best course to pursue in order to secure relief, and follow that course with the utmost energy of purpose We hear the Governor will recommend the erection of a separate military Department, which we think the good sense of all the people will endorse as a vital necessity We have had enough of orders from a distance. No officer can work to advantage under them, but must be guided by affairs as he finds them upon the ground. It is simply ridiculous to think of military success in Indian war when control of operations is in the hands of others than those directly engaged in the conflict.

To ask for a distinct Department would seem to be the first step to be taken by the Legislature, and the next matter of consequence is to apply for an addition to the military force here, which is wholly inadequate to cope with the number of hostile Indians now to be fought. Whether this force shall be from the regular army, or whether it is best to raise it from our own people is a question that the Legislators must decide. The efficiency of the companies of the first regiment of Arizona Volunteers (although but four companies were in the field,) was such as to lead the people to wish for another trial of such troops, and now that the Territories east of the Rocky Mountains are authorized to raise regiments of their own it may be that an appeal from our suffering people will be listened to. There is every reason to believe that a regiment of Arizona Volunteers, well officered, can be of the greatest service in ridding the country of the savages, and making the security of life and property here such that business can be carried on with some degree of success and satisfaction.

CALIFORNIA RECRUITS.—The detachment of recruits which arrived at Camp Whipple last week, has been assigned to companies B and I 8th U. S. Cavalry. Capt. John S. Wharton, 14th U. S. Infantry, who came in command of the troops will leave this week for Camp Lincoln, to assume command of his company. Lieut. T. M. McDougall 32nd U. S. Infantry, who accompanied the command, leaves to-day (Tuesday,) for Tucson, to proceed thence, to Camp Grant to join his company. A. A. Surgeon, E. H. Wood, the Medical officer of the detachment, while awaiting transportation to Camp Cady, Cal., whither he has been ordered, has permission to proceed to Camp Lincoln, to attend Dr. McCandless, who has sustained a serious injury to both eyes from the premature explosion of a Henry rifle.

TOUGH.—It is reported that "Big Rump" is anxious to make peace with the whites. This story is about as hard to swallow as some of the Prescott beef.—*Fat Contributor.*

THE CAPITAL QUESTION.

As there is considerable discussion about town as to how the Governor stands upon the capital question, and what he will do if the Legislature should locate the capital at any particular point, we reprint the concluding paragraph from his late letter to the people of Pima County, which may be supposed to define his exact position:

"Upon local, as upon broader questions, my official course has never been marked by sectional feeling or by prejudice; and I assure you I have none in this matter. It is well known, that in the choice of a temporary, or permanent location for the Capital, I have repeatedly declared my readiness to promptly and cheerfully acquiesce (whatever my personal views or interests,) in the action of the Legislatures, unless convinced that such action is the result of improper proceedings, and not a fair expression of the will of the people."

WHY is it that in a war of words the Yavapais beat the Yuma and Pima braves of the House?

Because they Dare to Rush St. Giles against the "Apostle of Temperance" from Yuma, confound the Pimas with sound gospel from the lips of St. Mathew(s) and broil them up nicely by Cook(ing) their capital fowl in a Cullumber furnace. Tu-bac, amigo, Tu-bac? 'Pay me, see me'–at Tucson, by moonlight, etc.

THE GOVERNOR delivered his message to the members in joint convention on Monday, at 11 a. m. There was a large attendance of the people including several ladies.

F. CORTEZ COX, who has a fine crop of corn, vegetables, etc., about one mile below Fort Whipple, has the thanks of the printers of the MINER office for those fine, juicy melons sent us by bro. Piatt, on last Sunday

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BAD.—To get into committee of the whole, or any other hole, and not know how to get out. So says our devil, whose slate is badly fractured.

THE Committees of the Legislature are now well organized and at work.

DON'T forget Cooler's cotillion party to night

SUBSCRIBE for the DAILY MINER, and keep posted on the doings of the Solons.

DAILY ARIZONA MINER.

PRESCOTT, TUESDAY, SEPTEMBER 10, 1867

THE LEGISLATIVE OATH.

As there has been some talk this year, although less than heretofore, regarding the necessity of the members of the Legislature taking the oath of July 2, 1862, or the "iron-clad" as it is commonly called here, we print the following letter to the Governor in answer to one sent by him, while in San Francisco last winter, at the time there was trouble on the subject in Idaho.

It will be seen that the outcry made by certain parties here against the Legislatures being content with the simple oath as prescribed by the Code of the Territory, is in no wise sustained, and the authorities certainly are such as should satisfy every one that the Government does *not* require that the members of the Legislature should take the "iron-clad:"

TREASURY DEPARTMENT,
WASHINGTON, Feb. 26, 1867.

DEAR SIR:—Your favor of the 22d ult. came duly to hand, and was referred to the First Comptroller of the Treasury, with the request that he would advise me whether or not it is necessary for members of a Territorial Legislature to take the oath required by the act of July 2, 1862. Enclosed I hand you a copy of his opinion *in which I coincide.*

I am, very truly yours,
HUGH McCULLOCH,
Secretary of the Treasury.

HON. RICHARD C. McCORMICK,
Governor of Arizona.

The following is the enclosure:

TREASURY DEPARTMENT,
WASHINGTON, Feb. 25, 1867.

SIR:—I return herewith the communication of Hon. Richard C. McCormick, Governor of the Territory of Arizona, dated Jan. 22, 1867, inquiring whether members of a Territorial Legislature must take the oath prescribed by the act of July 2, 1862, "To prescribe an oath of office and for other purposes." My opinion is that members of a Territorial Legislature *are not included* among the officers "in the civil, military or naval department of the public service," who are required to take the oath prescribed in the act referred to. I have also to state that on consultation with the Attorney General he *concurred in this opinion.*

I am, respectfully,
R. W. TAYLER,
First Comptroller.

HON. HUGH McCULLOCH,
Secretary of the Treasury.

The opinion of the First Comptroller of the Treasury, sustained by the Attorney General and the Secretary of the Treasury of the United States, ought to be sufficient to silence the gentlemen who have insisted that the "iron-clad" must be administered to members of the Legislature, or their acts would all be illegal.

The letters herewith published are a full endorsement of the opinion of Hon. Coles Bashford, late Attorney General of the Territory, as given in a letter published in the MINER of January 10, 1866, and they also sustain the view taken by the Governor and Secretary since the first discussion of the subject in the Territory. In this connection it is but justice to the members of the Legislature to assert that, so far as we have heard, none of them have objected to taking the "iron-clad" if considered incumbent upon them under the act of Congress.

WHO THEY ARE.

We take it for granted our citizens need no description of the Yavapai delegation to the Fourth Legislature, although we may give one prior to the close of the session.

In the Pima delegation we find Col. C. W. Lewis, the popular commandant of the 7th Cal. Vols., and now a resident of Tubac. Major M. M. Richardson, sutler at Tubac. Frank Hodges, the well known public house keeper of Tucson. John B. Allen, formerly of Maricopa and Wickenburg and known all over the Territory. S. W. Chambers, a farmer from Tubac. P. Drachman, a Tucson merchant, formerly of La Paz, and U. C. Barnett, a farmer, last year of Walnut Grove in this county, and a member of the last Legislature. The Councilmen from Pima this year, are M. R. Platt, of Tucson, a lawyer and member of the last Legislature. Henry Jenkins, of Tubac, a lawyer, and a member of the last Legislature, but not in attendance, and our old military friend Major Stickney, now a Tucson merchant.

From Yuma, we have in the Council, Alexander McKey, deputy sheriff of that county and member of the 2nd and 3rd Legislatures. In the House, Oliver Lindsey, J. W Hanford and O. Henion, all miners if we are correctly informed.

From Mohave, W. H. Hardy, merchant and miner comes to the Council, and N. S. Lewis, to the House.

Pah-Ute sends our genial friend O. D Gass an honest ranchero, to the Council, and R. J. Cutler of the same profession to the House.

All the members are present excepting Mr. Henion, of Yuma, (who has gone to California) Mr. Hanford of Yuma, and Mr. Lount of this county.

Taken all in all the Legislature is well made up. The members are representative men, and we shall be disappointed if they fail to do well. Our citizens are glad to receive them, and wish that better accommodations could be afforded. As it is they must take the will for the deed, and if they permanently locate the capital here we promise suitable provision for their comfort hereafter.

JOURNALS

— OF THE —

FOURTH LEGISLATIVE ASSEMBLY,

TERRITORY OF ARIZONA.

HOUSE.

REPRESENTATIVE HALL,
PRESCOTT, Saturday, Sept. 7, 1867.

House met pursuant to adjournment.
Roll called. All present.
Prayer by the chaplain.
Minutes of yesterday read and approved.

Mr. John B. Allen, member from Pima, appeared and presented his credentials.

On motion of Mr. Lewis, of Pima, a committee of two was appointed by the chair, consisting of Messrs. Mathews and Hodges, to request the Hon. Wm. F. Turner, chief justice of the Territory, to administer the oath of office to Mr. Allen.

After a brief absence the committee returned accompanied by Judge Turner, who administered the oath to Mr. Allen, whose name was duly added to the roll.

Mr. Rush, by leave, introduced the following resolution, which was adopted:

Resolved, By the House of Representatives, that the use of Representative Hall be, and the same is hereby, tendered to the Rev Mr. Blake, in which to hold divine service on tomorrow, and that the Sergeant-at-Arms be instructed to prepare the hall.

Message from the Council.

The Council has concurred in H. C R. No. 1, appointing two on the part of the House, and one on the part of the Council, to draft rules and orders for the government of the two Houses, and has appointed Mr. Jenkins, on the part of the Council.

Mr. Cook, on leave, introduced House Memorial and Joint Resolutions No. 1, asking Congress to empower the Governor of the Territory of Arizona to raise a regiment of troops, for protection against the hostile Indians.

On motion of Mr. Rush, the rules were suspended, memorial read first time and referred to the committee on Military and Indian Affairs, with instructions to report on Tuesday next.

On motion of Mr. Cook, fifty copies of the list of standing committees were ordered to be printed for the use of the House.

Mr. Rush, on behalf of the special committee appointed to wait on the Governor and inform him that the House was organized, reported that the Governor would deliver his message on Monday, September 9, 1867, at about 11 o'clock a. m.

On motion, the report was received and the committee discharged.

On motion, the House adjourned until Monday.

COUNCIL.

COUNCIL CHAMBER,
PRESCOTT, Monday, Sept. 9, 1867.

Council met pursuant to adjournment.
Roll called.
Present—Messrs. Hardy, Jenkins, McKey, Platt, Simmons, Stevens, and Mr. President.

Minutes of Friday read and approved.

Message from the House received announcing the passage of H. C. R., No. 2, appointing a joint convention of the two Houses, to meet in the Hall of the House of Representatives at 11 o'clock a. m. to receive the message of the Governor, which resolution was concurred in by the Council.

Mr. Jenkins gave notice that he will, at an early day introduce a bill for the prevention and punishment of common vagrancy.

Mr. Stickney gave notice that he will at a future day introduce a bill to provide for the erection of proper fences, for the protection of crops within the Territory, and to repeal existing laws upon that subject.

Mr. Jenkins, committee from the Council, on joint committee to report rules and regulations for the permanent government of the two Houses, reported.

Report was accepted and committee discharged.

Council adjourned till 11 o'clock a. m

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11 o'clock, a. m.

Council met pursuant to adjournment.

Roll called.

Present—Messrs. Hardy, Stevens, Simmons, Platt, Jenkins, McKey, and Mr. President.

The Council then repaired to the Hall of the House of Representatives to meet in joint convention.

JOINT CONVENTION.

President of the Council called the Convention to order.

Roll of the Council called.

Present—Messrs. Hardy, Jenkins, Platt, Simmons, Stevens, Stickney and Mr. President.

Mr. Rush of the House offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed to wait upon the Governor and inform him that the Legislative Assembly is convened in joint session and ready to receive any communication he may desire to make.

Messrs. Rush and Richardson, from the House, and Mr. Platt, from the Council, were appointed a committee to wait upon the Governor.

On motion of Mr. Giles, of the House, the ladies were invited to seats within the bar of the House.

The committee appointed to wait upon the Governor, reported His Excellency present, and ready to communicate with the convention The Governor was introduced by the President, and proceeded to deliver his annual message.

On motion of Mr. Giles, the convention was dissolved.

COUNCIL CHAMBER.

Roll called.

All present except Mr. Lount.

Adjourned till 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

Council met pursuant to adjournment.

Roll called.

Present—Messrs. Hardy, Jenkins, McKey, Simmons, Stevens, Stickney and Mr. President.

Mr. Stickney offered the following resolution, which was adopted:

Resolved, By the Council, That all officers of the United States, both civil and military, also all Territorial and county officers, are invited to occupy seats within the bar of the Council Chamber, at their pleasure.

Message from the House, announcing the passage of H. C. R. No. 3, in regard to printing the Governor's message.

On motion of Mr. Hardy, H. C. R. No. 3 was amended by striking out the figures "1500," and inserting the figures "1000." The resolution, as amended, was then concurred in by the Council.

Council adjourned till to-morrow, at 11 o'clock a. m.

HOUSE.

REPRESENTATIVE HALL,
PRESCOTT, Monday, Sept. 9, 1867.

House met pursuant to adjournment.

Roll called.

Present—Messrs. Barnett, Cutler, Chambers, Cook, Cullumber, Drachman, Dare, Giles, Hodges, Lindsey, Lewis, of Mohave, Lewis, of Pima, Mathews, Rush and Richardson.

Mr. Allen, sick.

Prayer by the Chaplain.

Minutes of yesterday read and approved.

Mr. Mathews, chairman of committee on rules and orders, submitted the following report.

The joint committee appointed to report joint rules and regulations for the permanent government of the two Houses, respectfully beg leave to report, that they have examined the joint rules as adopted by the Third Legislative Assembly, and recommend the adoption of the same, as the joint rules of the two Houses for their government during the present session with the following amendments:

That Sec. XII be amended to read 'a majority of that House,' instead of 'two thirds.'

"That Sec. XIV be amended to read as follows: 'After each House shall have once adhered to their disagreement, a bill or resolution shall be lost, except in case such House may appoint a committee of conference, and if such committee shall agree in their report the bill or resolution may be again considered as if no action had been had upon the subject.'"

On motion, the report was received and the committee discharged.

Mr. Chambers offered the following resolution:

Resolved, That the Governor and Secretary of the Territory, Judges of the Supreme Court, Territorial Treasurer, Judge of the Probate Court of Yavapai county, and the commissioned officers of the United States Army of the Territory, be, and they are hereby invited to occupy seats within the Bar of the House of Representatives during the present session.

Laid over under the rules.

H. C. R, No. 2 was taken up.

On motion of Mr. Cutler, it was made the special order for Thursday at 3 o'clock p. m.

The ayes and noes were called for.

Those who voted were:

Yeas—Messrs. Cutler, Chambers, Cook, Cullumber, Drachman, Dare, Giles, Hodges. Lewis of Mohave, Lewis of Pima, Mathews, Rush, Richardson and Mr. Speaker—14.

Noes—Mr. Barnett—1.

Mr. Rush offered the following H. C. R. No. 3, which was odopted:

Resolved, By the House, the Council concurring, that the two Houses meet in joint convention at 11 o'clock a. m., of this day in the Hall of the House of Representatives to receive the Message of His Excellency, the Governor.

On motion of Mr. Rush, the House took a recess until 11 o'clock a. m.

AFTER RECESS.

11 o'clock a. m.

Roll called. All present.

Message from the Council:

The Council has concurred in H. C. R. No. 3, recommending a joint session of the two Houses at 11 o'clock, a. m., to receive the Message of His Excelency the Governor.

In joint convention.

The President and Members of the Council were announced, and took their seats in joint convention.

Roll called.

All present except Mr. Allen, sick.

Mr. Rush offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed to wait upon the Governor and inform him that the Legislative Assembly is convened in joint session and is ready to receive any communication he may desire to make.

The President appointed Messrs. Rush, Richardson and Platt as such committee.

Mr. Giles moved that the ladies who might be present be invited to seats within the bar.

Carried.

Mr. Platt, of the committee, announced the Governor, who proceeded to deliver his annual message.

On motion of Mr. Giles, the joint session dissolved.

Roll called.

Quorum present.

Mr. Giles offered H. C. R. No. 4·

Resolved, By the House, the Council concurring, that one thousand copies of the message of the Governor be printed for the use of the two Houses.

Mr. Richardson moved to amend by striking out the words "one thousand" and inserting in lieu thereof "fifteen hundred."

The resolution as amended was adopted.

On motion of Mr. Rush, the message of the Governor was referred to the committee of the whole House.

Carried.

Mr. Mathews in the Chair.

Mr. Barnett moved to adjourn.

Motion lost.

The committee of the whole reported progress, and asked leave to sit again at 11 o'clock a. m., to-morrow, which was granted.

House adjourned until to-morrow.

ROBERT MEACHAM,

AUCTIONEER,

WILL attend personally to the sale of property of every description, and particularly to sales under orders of Court, Administrators, and Military authorities. May, 1867